

UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

J & J SPORTS PRODUCTIONS, INC., as
Broadcast Licensee of the **July 21, 2007**
Hopkins/Wright Program,

Plaintiff,

-against-

NOTICE OF PARTIAL DISMISSAL
Civil Action No. 3-08-CV-027
HON. HENRY E. HUDSON

HOWARD MADISON FITZGERALD, et al.,
Defendants.

J & J Sports Productions, Inc., Plaintiff in the above entitled action, having compromised this action and no party herein being an infant or incompetent for whom a committee has been appointed and there being no person not a party who has any interest in the subject matter of said action, hereby moves Defendant **HOWARD MADISON FITZGERALD, Individually**, be dismissed without prejudice and without costs to either party pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure.

This dismissal is specific to said Defendant and does not effect any remaining claims against any other named Defendant.

Dated: August 22, 2008
Ellenville, New York

By: /s/ Julie Cohen Lonstein
Julie Cohen Lonstein
Bar Roll No. JL8512
Attorney for Plaintiff
1 Terrace Hill; PO Box 351
Ellenville, NY 12428
Telephone: 845-647-8500
Facsimile: 845-647-6277

SO ORDERED this ____ day of **August , 2008**.

HONORABLE HENRY E. HUDSON
United States District Judge

/s/ Jennifer M. Newman
Jennifer M. Newman, Esq., P.C.
VSB# 45702
7 East Franklin Street
Richmond, Virginia 23219
Telephone: (804) 421-9975
Facsimile: (804) 643-1551

CERTIFICATE OF SERVICE

The undersigned hereby certifies that true copies of the above document, were served via regular mail on **August 25, 2008**, upon the following:

Howard Madison Fitzgerald
647 Old Wagner Road
Petersburg, VA 23805

Howard Madison Fitzgerald
4092 Park Avenue
Petersburg, VA 23805

Classics Restaurant and Lounge
2733 Park Avenue
Petersburg, VA 23805

/s/ Julie Cohen Lonstein
Julie Cohen Lonstein, Esq.